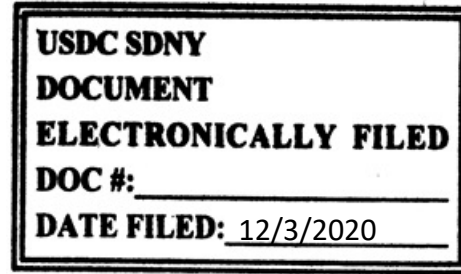


December 2, 2020

VIA ECF

Honorable Katharine H. Parker
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: Sands v. What's Trending, 1:20-cv-02735 (GBD-KHP)

Dear Judge Parker:

The undersigned counsel for both parties, Steve Sands ("Plaintiff") and What's Trending, Inc. ("Defendant") respectfully request that the Court adjourn the settlement conference scheduled for December 9, 2020 until such time as Defendant's fully-briefed motion to dismiss under Rule 12(b)(6) has been decided.

- 1) The original conference is scheduled for December 9, 2020 at 2:00 p.m.;
- 2) No previous requests have been made;
- 3) No previous requests were granted or denied;
- 4) The parties consent to an adjournment until after the pending Rule 12 motion to dismiss has been decided by Judge Daniels. The parties are both interested in setting judicial precedent on the issue of fair use.

Consistent with the parties' joint request, **the Court will adjourn the settlement conference in this case scheduled for December 9, 2020 sine die.** Once the motion to dismiss has been decided, the parties shall contact the Court to arrange for a new date, to the extent there are any claims that remain.

SO ORDERED:

HON. KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE

Date: December 3, 2020

Respectfully Submitted,

s/jameshfreeman/
James H. Freeman

Counsel for Plaintiff

s/davidbowles/
David Bowles

Counsel for Defendant